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APR 22 2005

Message :

Dear Mr. Miller:

Thank you for the excellent information you provided me a few weeks ago with regard to these claims, part of our Application/Control Number 10/694655. We have been in an intense negotiation with a company through which to manufacture/distribute this product. I mention this because I want you to take no slight from the time that has passed since our last conversation. Thank you, too, for your offer to assist us with the claims writing in this pro se application.

I would like to bring you up to speed on a few things that have transpired in the interim and to ask a question or two.

1: We have received an international search report from PCT. The individual handling our case there is Mr. Steven Meyers (703) 308-1113.

2: The priority date for the PCT document is October 27, 2003 which is different from the priority date for your documents which is one year earlier (October 27, 2002, the date of our provisional patent application).

3: We were contacted by Alexander Craker of WIPO who informed us of a discrepancy in our PCT priority date ... we had asked for the earlier date in the application. He informed us that only a 12 month period could exist between the priority date and the PCT application. We therefore, at his direction, submitted an official request for the later priority date, That request was dated April 22, 2005.

Regarding questions, the following come to mind:

4. In the attached revision attempt, I have included an alternate Claim 2, based upon my desire to submit a CIP (described in the revision document). Which is the approach we should take...revised claim or new claim?

5. PCT form, PCT/ISA/220 (January 2004), includes in "Item 4: Reminders", several discussions of timeframes related to various activities. We are coming up on the 18 month timeframe on Wednesday, April 27, 2005. This is the period to begin publication. WIPO has indicated the publication will occur in late June. Does a relationship exist between the publication date and a

From:

Edward L. Repic

To: USPTO

William L. Miller

Date: 4/22/05

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CIP submittal? For that matter, does the CIP submittal impact any of the dates/tikmeframes indicated?

6. I believe you told me that the CIP needs to be submitted within a 90-day period from your notice on March 22, 2005. Is that correct? Is there a special format/form I need to use? Where can I find it? And most importantly, does that CIP need to be submitted by next Wednesday?

Thank you for your valued time and consideration, Mr. Miller. I look forward to hearing from you soon.

Sincerely,
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